GOVERNMENT OF MYSORE.

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT (LABOUR)

Labour Dispute.—Industrial Dispute between the Workmen and the Management of New Opera Talkies, Mysore.

Award of the Labour Court, Bangalore—Published.

Read the following papers :—

(1) Letter No. 1595/67-68, dated 4th March 1968 from Shri P. T. Kadkol, Presiding Officer, Labour Court, Bangalore.

BEFORE THE PRESIDING OFFICER, LABOUR COURT, BANGALORE.

Dated this 4th day of March 1968.

Present :

Sri P. T. Kadkol, B.SC., LL.B. ... *Presiding Officer.*

Reference No. 130 of 1966.

Workmen represented by the Secretary, Mysore Division General Labour Union, Clock Tower Square, Mysore-1 ...

First Party.

Vs.

The Management of New Opera Talkies, Mysore ...

... ... *Second Party.*

Reference : Government Order No. LMA 493 LLD 66, dated 3rd November 1966.

AWARD

The Government of Mysore being of opinion that an industrial dispute exists between the Workmen and the Management of New Opera Talkies, Mysore, have referred it to this court for adjudication under Section 10 (1) (c) of the Industrial Disputes Act, 1947,

by their Order No. LMA 493 LLD 66 dated 3rd November 1966, setting out the following points of dispute for adjudication :—

"1. Is the worker, Sri Mallinath of New Opera Talkies, Mysore, entitled for reinstatement with back wages and continuity of service ?

If not, to what other relief, he is entitled ?"

2. The cause of the aggrieved worker Sri Mallinath has been sponsored by the Mysore Division General Labour Union, Mysore. This Union as representing the workmen is the first party and the management of New Opera Talkies, Mysore, is the second party in this proceeding.

3. The first party has not filed any statement of claims in this case in spite of notice issued in that behalf. On 8th February 1967 a statement was received, from the second party stating that the aggrieved worker Sri Mallinath had settled the dispute with the management and he had executed a receipt dated 7th May 1966 after receiving Rs. 61 towards the salary for January 1966 and also the compensation for the service rendered by him in full and final settlement of all his claims.

4. Thereafter notice was issued to first party to say why an Award should not be passed as per the statement filed by the second party. On 24th January 1968 at Mysore Camp when the case was called, both parties were absent. Hence the case was fixed for evidence on 9th February 1968. On 9th February 1968 it was found that both parties were again absent. Since the postal acknowledgements had not been received showing service of notices on the parties I posted the case for evidence on 28th February 1968, and ordered issue of fresh notices to both parties. On 27th February 1968 another statement was received from the second party reiterating the averments made by it in the first statement and requesting to dispose of the reference as the matter had been settled. On 28th February 1968 when the case was called, both parties were absent.

5. It is seen from the statements filed by the second party that the matter has been settled by Sri Mallinath, aggrieved workman, executing a receipt in favour of the second party in full and final settlement of all his claims. The copy of the said receipt has been enclosed to the statement of the second party received in this Court on 27th February 1968. The first party has also not

filed any claim statement nor has it said anything about the settlement in spite of so many chances given to it. I therefore accept the statement of the second party and hold that the dispute, has been settled by Sri Mallinath executing a receipt after receiving Rs. 61 in full and final satisfaction of all his claims.

6. In the result, I proceed to pass the following Award.

AWARD

The Reference is disposed of as the matter in dispute has been settled by Sri Mallinath, aggrieved worker, executing a receipt after receiving a sum of Rs. 61 in full and final satisfaction of all his claims against the second party. No costs.

Sd. P. T. KADKOL,
Presiding Officer,
Labour Court,
Bangalore.

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Presiding Officer,
Labour Court, Bangalore